

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, December 10, 2014, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Patricia Heim. Attending the meeting were board members Kent Coleman, Henry Fincher, Tom Lawless, Norma Lester and Justin Pitt.

Approval of Meeting Minutes

On motion by Lawless seconded by Fincher, the board voted unanimously to approve the minutes from the November 12, 2014 regular board meeting.

Requests for Reconsideration

14-23 Shelby County Democratic Executive Committee, for failure to file a 2013 year-end supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board. (see below)

The board voted at its June 11, 2014 meeting to issue the organization a show cause notice.

The board voted at its August 13, 2014 meeting to assess the organization a \$500 civil penalty. The organization requested a reconsideration of the \$500 civil penalty assessment.

Brian Carson, Chairman of the organization, submitted a statement for the board's consideration.

On motion by Fincher, seconded by Lawless, the board voted unanimously not to reconsider the \$500 civil penalty assessment.

14-34 Shelby County Democratic Executive Committee, for failure to timely file a 2014 2nd quarter campaign financial disclosure report. Class two (2), 53 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board. (see above)

The board voted at its August 13, 2014 meeting to issue the organization a show cause notice.

The board voted at its October 8, 2014 meeting to assess the organization a \$500 civil penalty. The organization requested a reconsideration of the \$500 civil penalty assessment.

Brian Carson, Chairman of the organization, submitted a statement for the board's consideration.

On motion by Fincher, seconded by Lawless, the board voted unanimously not to reconsider the \$500 civil penalty assessment.

Show Cause Hearings

14-39 Strong & Free Tennessee, for failure to show original sources of contributions on their 2014 pre-primary campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. The organization has had a previous matter before the board. (see below)

The board voted at its August 13, 2014 meeting to issue the organization a show cause notice.

The board voted at its October 8, 2014 meeting to take no further action in this matter until the next regularly scheduled meeting to allow Mr. Thornton, representative for the organization, an opportunity to appear before the board.

The board voted at its November 12, 2014 meeting to take no further action in this matter until the next regularly scheduled meeting to allow the organization further opportunity to respond to the show cause notice.

Guilford Thornton, Jr., representative for the organization, submitted a statement for the board's consideration.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice to Strong & Free Tennessee Corporation for failing to register as a single-measure committee and report campaign contributions. A motion was then made by Pitt, seconded by Lawson, to conduct full and complete audits of the Strong & Free Tennessee PAC and the Strong & Free Tennessee Corporation and grant subpoena authority to the Executive Director if the organization does not provide records in a reasonable amount of time.

Statements Submitted

14-10 Joe Brown, for. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. Mr. Brown has had no previous matters before the board.

Based on a sworn complaint, the board voted at its October 8, 2014 meeting to issue Mr. Brown a show cause notice.

The board voted at its November 12, 2014 meeting to take no further action in this matter until the next regularly scheduled meeting to allow Mr. Brown further opportunity to respond to the show cause notice.

Mr. Brown submitted a statement for the board's consideration.

On motion by Fincher, seconded by Pitt, the board voted unanimously to dismiss the complaint.

14-63 Dennis Roach, for failure to report 3 PAC contributions on his 2014 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Mr. Roach has had a previous matter before the board.

The board voted at its November 12, 2014 meeting to issue Mr. Roach a show cause notice.

Mr. Roach corrected his reports submitted a statement for the board's consideration.

On motion by Pitt, seconded by Coleman, the board voted 5 to 1 to take no further action in this matter, with Lawless voting “no.”

14-65 Shelby County Democratic Executive Committee, for failure to file an Appointment of Political Treasurer statement. Class two (2), maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board. (see above)

The board voted at its November 12, 2014 meeting to issue the organization a show cause notice.

Brian Carson, Chairman of the organization, submitted a statement for the board’s consideration.

A motion was made by Lawless to assess the organization a \$2,500 civil penalty. The motion to assess the organization a \$2,500 civil penalty died for a lack of a second. A motion was then made by Coleman, seconded by Fincher, to assess the organization a \$500 civil penalty. The motion to assess the organization a \$500 civil penalty passed the board 5 to 1, with Lawless voting “no.”

Cases Subject to Approval of Civil Penalty Order

14-52 Brock Bennington, for failure to file a 2014 mid-year supplemental campaign financial disclosure report. Class two (2), 31 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Bennington has had previous matters before the board.

Director Rawlins informed the board that Mr. Bennington filed the required report and that his campaign account is now closed.

The board voted at its October 8, 2014 meeting to issue Mr. Bennington a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by Heim, seconded by Lawless, the board voted unanimously to assess Mr. Bennington a \$500 civil penalty.

14-54 Kennedy Spellman Johnson, for failure to file a 2014 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Johnson has had a previous matter before the board. (see below)

The board voted at its October 8, 2014 meeting to issue Mr. Johnson a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

On motion by Lawless, seconded by Lester, the board voted unanimously to assess Mr. Johnson a \$250 civil penalty.

14-55 Kennedy Spellman Johnson, for failure to file a 2014 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Johnson has had a previous matter before the board. (see above)

The board voted at its October 8, 2014 meeting to issue Mr. Johnson a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

On motion by Lawless, seconded by Lester, the board voted unanimously to assess Mr. Johnson a \$250 civil penalty.

14-61 Association for the Future of Film & Television PAC, for failure to timely file a 2014 pre-primary campaign financial disclosure report. Class one (1), 28 days late, maximum seven hundred (\$700) civil penalty. The organization has had previous matters before the board.

The board voted at its October 8, 2014 meeting to issue the organization a show cause notice.

Sherman Greer, treasurer for the organization, personally appeared before the board and submitted a statement for the board's consideration. Mr. Greer informed the board that the organization has closed its PAC account.

On motion by Coleman, seconded by Fincher, the board voted unanimously to take no further action in this matter.

14-62 Judd Matheny, for failure to report 3 PAC contributions on his 2014 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Matheny has had previous matters before the board.

The board voted at its November 12, 2014 meeting to issue Rep. Matheny a show cause notice.

Director Rawlins informed the board that the contributions have been reported but that there has been no response to the show cause notice.

On motion by Fincher, seconded by Lester, the board voted unanimously to take no further action in this matter.

14-66 Michael Sparks, for failure to report 5 PAC contributions on his 2014 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Sparks has had previous matters before the board.

The board voted at its November 12, 2014 meeting to issue Rep. Sparks a show cause notice.

Director Rawlins informed the board that the contributions have been reported but that there has been no response to the show cause notice.

On motion by Fincher, seconded by Coleman, the board voted unanimously to take no further action in this matter.

Sworn Complaints

Strong & Free Tennessee

Director Rawlins provided the board with a sworn complaint filed with the Registry from Ruth Fennell against Strong & Free Tennessee.

Director Rawlins informed the board that Ms. Fennell requested that the board delay any action in this matter until the next regularly scheduled meeting to allow her an opportunity to personally appear at the board meeting.

Guilford Thornton, Jr., representative for the organization, submitted a statement for the board's consideration.

On motion by Coleman, seconded by Fincher, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting.

Strong & Free Tennessee

Director Rawlins provided the board with a sworn complaint filed with the Registry from Mark Winslow against Strong & Free Tennessee.

Director Rawlins informed the board that Mr. Winslow requested that the board delay any action in this matter until the next regularly scheduled meeting to allow him an opportunity to personally appear at the board meeting.

Guilford Thornton, Jr., representative for the organization, submitted a statement for the board's consideration.

On motion by Coleman, seconded by Fincher, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting.

Cases Considered for Issuance of Show Cause Notice

David Brady, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Brady has had previous matters before the board.

Director Rawlins informed the board that Mr. Brady filed the report on paper although he is required to file electronically. Director Rawlins further informed the board that the Registry had previously granted Mr. Brady a one-time exemption for the last two paper filings.

On motion by Lester, seconded by Heim, the board voted 5 to 0 to issue a show cause notice, with Fincher "abstaining."

Edward Buck, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. Mr. Buck has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to take no action.

Vance Carrier, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Carrier has had previous matters before the board. (see below)

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Vance Carrier, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. Mr. Carrier has had previous matters before the board. (see above)

On motion by Pitt, seconded by Lawless, the board voted unanimously to take no action.

JoAnne Favors, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), 19 days late, maximum four hundred seventy-five (\$475) civil penalty. Rep. Favors has had no previous matters before the board.

On motion by Pitt, seconded by Lawson, the board voted unanimously to issue a show cause notice.

Patti Garner, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Garner has had a previous matter before the board.

On motion by Pitt, seconded by Lawson, the board voted unanimously to issue a show cause notice.

William Lockert, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Lockert has had no previous matters before the board.

On motion by Pitt, seconded by Lawson, the board voted unanimously to issue a show cause notice.

Edward Miller, for failure to timely file a 2014 3rd quarter campaign financial disclosure report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. Mr. Miller has had a previous matter before the board.

On motion by Pitt, seconded by Lawson, the board voted unanimously to take no action.

Michael Sparks, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), 26 days late, maximum six hundred fifty (\$650) civil penalty. Rep. Sparks has had previous matters before the board.

On motion by Pitt, seconded by Lawson, the board voted unanimously to issue a show cause notice.

Jim Summerville, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Summerville has had no previous matters before the board.

On motion by Pitt, seconded by Lawson, the board voted unanimously to issue a show cause notice.

Blount County Young Republicans, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lawson, the board voted unanimously to take no action.

Henry County Republican Party, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lawson, the board voted unanimously to take no action.

Audit Review

Mickey Layne

On motion by Fincher, seconded by Pitt, the board voted unanimously to approve Mr. Layne's 2014 Pre-General campaign finance audit with no findings.

Mary Mancini

On motion by Fincher, seconded by Pitt, the board voted unanimously to approve Ms. Mancini's 2014 Pre-Primary campaign finance audit with no findings.

Johnny Patton

On motion by Fincher, seconded by Pitt, the board voted unanimously to approve Mr. Patton's 2014 3rd quarter campaign finance audit with the included finding.

On motion by Heim, seconded by Lawless, the board voted unanimously to take no action in this matter.

Other Business

Director Rawlins informed the board that C. Dewey Branstetter, Jr., representative for Tennesseans for Preservation of Personal Privacy, Inc., contacted the Registry and informed him that the organization has completed the required campaign financial disclosure reports and will be filing them with the office.

Without objection, the board requested that the organization be put back on the agenda for the next regularly scheduled meeting if the completed reports are not filed with the Registry.

Without objection, the board voted unanimously to schedule the next Registry meeting for January 14, 2015 at 10:30 a.m.

On motion by Lawless, seconded by Lester, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.